

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
UNITED STATES OF AMERICA,

Plaintiff

-v-

THE PREMISES AND REAL PROPERTY WITH
BUILDINGS, APPURTENANCES, AND
IMPROVEMENTS AT 132 LAKEFRONT BOULEVARD
UNIT 601, BUFFALO, NEW YORK, THAT IS, ALL
THAT TRACT OR PARCEL OF LAND, SITUATED
IN THE CITY OF BUFFALO, COUNTY
OF ERIE, STATE OF NEW YORK, AND MORE
PARTICULARLY DESCRIBED IN A CERTAIN
DEED RECORDED IN THE ERIE COUNTY
CLERK'S OFFICE IN BOOK 11275, PAGE 6575, et. al.,

20-CV-1602-LJV

Defendants

NOTICE OF MOTION

MOVING PARTY:

Plaintiff

PLACE:

Hon. Lawrence J. Vilardo
U.S. District Court
2 Niagara Square
Buffalo, New York 14202

RETURN DATE:

To be determined by the Court

RELIEF SOUGHT:

Plaintiff respectfully moves the Court for an Order Fully Unsealing the Affidavit of Special Agent Jason A. Kammeraad and its attached Exhibits that are referenced and incorporated in the Verified Complaint for Forfeiture, pursuant to Rule 5.3(e) of the Local Rules of Civil Procedure.

PAPERS SUBMITTED:

Affidavit of Assistant United States Attorney Grace M. Carducci.

TRINI E. ROSS
United States Attorney
Western District of New York

By:



GRACE M. CARDUCCI
Assistant U.S. Attorney
500 Federal Building
100 State Street
Rochester, New York 14614
(585) 263-6760
Grace.Carducci@usdoj.gov

DATED: October 4, 2022

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20-CV-1602-LJV

Defendants

**AFFIDAVIT IN SUPPORT OF MOTION TO FULLY UNSEAL THE AFFIDAVIT OF
SPECIAL AGENT JASON A. KAMMERAAD AND ATTACHED EXHIBITS**

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:
CITY OF ROCHESTER)

GRACE M. CARDUCCI, being duly sworn, deposes and says:

1. I am an Assistant United States Attorney, of counsel to Trini E. Ross, United States Attorney for the Western District of New York, counsel for the Plaintiff in the above-referenced action. As such, I am fully familiar with the pleadings and proceedings to date.

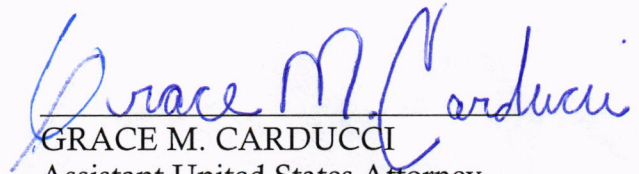
2. I submit this affidavit in support of Plaintiff's motion for an Order fully unsealing the Affidavit of Jason A. Kammeraad and attached Exhibits that are referenced and incorporated in the Plaintiff's Verified Complaint for Forfeiture, pursuant to Rule 5.3(e) of the Local Rules of Civil Procedure.

3. By an Order dated November 18, 2020, this Court granted Plaintiff's motion to seal the affidavit of Jason A. Kammeraad. *ECF No. 11.*

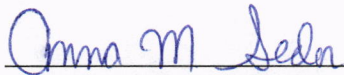
4. On December 18, 2020, this Court granted a joint motion for a protective order which partially unsealed the affidavit of Jason A. Kammeraad to be utilized by Joel L. Daniels, Esq. and Michael Luehrsen. *ECF No. 18.*

5. Plaintiff requests that the Affidavit of Jason A. Kammeraad and attached Exhibits be fully unsealed for the purpose of including the documents as an Exhibit to the Government's Response in Opposition to the Defendant's Motion for Release of Funds to Retain Counsel filed in a related criminal case, *United States v. Michael W. Luehrsen*, 21-CR-120-LJV. *ECF No. 180.*

WHEREFORE, Plaintiff respectfully requests that the Affidavit of Jason A. Kammeraad and attached Exhibits be fully unsealed by this Court.


GRACE M. CARDUCCI
Assistant United States Attorney

Subscribed and sworn to before
me this 4th day of October, 2022.



Notary Public

Anna M. Sedor
Notary Public, State of New York
Monroe County
Commission Expires October 31, 2025